

See 104
Ifr

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/991,702
Filing Date*	11/26/01
First Named Inventor	Palumbo
Group Art Unit	1742
Examiner Name	Sikyin IP
Attorney Docket No.	AUST3001 CIP

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.
NOTE: * Filing date must be on or after June 8, 1995; but if before May 29, 2000, then consider a CPA.

1. Please consider the following as the required submission under 37 C.F.R. §1.114:

- ☒ a. The Amendment/Reply and Declaration filed concurrently herewith
- ☐ b. The Information Disclosure Statement (IDS) filed on (date):
- ☐ c. The arguments in the Brief/Reply Brief filed on (date):
- ☐ d. The ___ page(s) of Form PTO-1449 and copy of each listed document filed (date):
- ☐ e. Other:
- ☐ 2. A _____ month Petition for Extension of Time is filed herewith.
- ☒ 3. The Commissioner is authorized to credit any overpayment and charge any deficiency in any fees required under 37 CFR 1.16 and/or 1.17 to Deposit Account No. 02-0200.
- ☒ 4. A check in the amount of \$ 1120 is submitted herewith. (Includes \$330 for disclaimers)
(Check No 41446)
- ☐ 5. This Request is transmitted by facsimile to number (703) _____.
- ☐ 6. Other:

THE RCE FEE IS CALCULATED AS FOLLOWS:				Basic Fee:	\$790.00
Total Claims:		-	(highest number previously paid for) =	X \$18 =	
Independent Claims:		-	(highest number previously paid for) =	X \$88 =	
Correspondence Address: 23364 Customer Number				Multiple Dependent Claim (add \$290.00):	
				Subtotal:	
				50% Reduction if Small Entity Status:	
Phone: 703-683-0500		Fax: 703-683-1080		Total:	790.00
Date:	Name:			Signature:	Reg. No.
10/18/04	Eric Spector				22495

Request1018.wpd

(01Oct04)

10/19/2004 EFLORES 00000025 09991702

01 FC:1801

790.00 DP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: GINO PALUMBO ET AL.
SERIAL NO.: 09/991,702

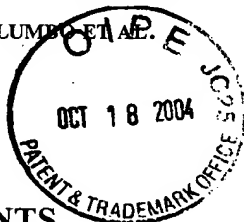
FILED: 11/26/01

FOR: Thermo - Mechanical

GROUP ART UNIT: 1742

EXAMINER: Sikyin Jp

ATTY. REFERENCE: AUST3001 CIP



COMMISSIONER OF PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a communication/amendment in the above-identified application.

- ☐ Small entity status under 37 CFR 1.9 and 1.27 is claimed.
- ☐ No additional fee is required.

The fee, if any, has been calculated as shown below:

Fee Basis	Number of Claims After Amendment	Highest Number Previously Paid For	Extra Claims	Small Entity	Full Fee
Total Claims		¹	³	$\times \$ 9 =$	$\times \$ 18 =$
Independent Claims		²	³	$\times \$ 44 =$	$\times \$ 88 =$
<input type="checkbox"/> First Presentation of Proper Multiple Dependent Claim				$+ \$ 150 =$	$+ \$ 300 =$
TOTAL					

¹ If less than 20 enter 20.

² If less than 3 enter 3.

³ If less than 0 enter 0.

- ☐ Please charge my Deposit Account Number 02-0200 in the amount of \$_____. A duplicate copy of this sheet is attached.
- ☒ A check in the amount of \$ 1120 is attached. (Check No. 41446)
- ☒ The Commissioner is hereby authorized to charge any additional fees associated with this communication, including fees due under 37 CFR 1.16 and 37 CFR 1.17 or credit any overpayment to Deposit Account Number 02-0200. A duplicate copy of this sheet is attached.
- ☒ Also enclosed is/are:

Request for continued Examination - Fee: \$790

Declaration under 37 C.F.R. 1.132

Three Terminal Disclaimers - Fee: \$330

23364

Customer Number

Phone: (703) 683-0500

DATE: 10/18/04

Respectfully submitted,

Attorney for Applicant Eric Spector
Registration Number: 22495



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/991,702
Applicant : Gino Palumbo
Confirmation No: 3992
Filed : November 26, 2001
TC/A.U. : 1742
Examiner : S. Ip
Docket No.: : AUST3001/JDB
Customer No: : 23364

**AMENDMENT RESPONSIVE TO FINAL ACTION ENCLOSING REQUEST FOR
CONTINUED EXAMINATION, DECLARATION, AND TERMINAL
DISCLAIMERS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

This is in response to the final Office Action of July 28, 2004, the period for response to which is set to expire on October 28, 2004. Please amend the application as follows:

Amendments to the claims are reflected in the "Listing and Amendment of Claims" which begins on the next sheet.

Remarks/Arguments begin on the attached sheet having the heading "Remarks/Arguments".